DÁIL ÉIREANN

AN BILLE OIDEACHAIS (FORÁLACHA ILGHNÉITHEACHA) 2007
EDUCATION (MISCELLANEOUS PROVISIONS) BILL 2007

LEASUITHE TUARASCÁLA
REPORT AMENDMENTS
1. In page 3, between lines 26 and 27, to insert the following:

3.—Section 10 of the Act of 1998 is amended by the addition of the following subsection after subsection (2)—

“(2A) Without prejudice to the generality of subsection (2)(f), terms and conditions that may be attached to recognition by the Minister may include terms and conditions conferring on the Minister an option to purchase the land of a recognised school in receipt of public funds where the patron proposes to close that school, in order to enable the Minister to make alternative and appropriate education facilities available in the area served by that school.”.

—Jan O'Sullivan.

2. In page 4, between lines 12 and 13, to insert the following:

“(i) in paragraph (b), by deleting “to be prescribed” and substituting “in excess of 14 days or such longer period as may be prescribed.”,

—Jan O'Sullivan.

3. In page 4, line 16, after “school” to insert “either verbally or in writing”.

—Seán Crowe.

4. In page 4, between lines 25 and 26, to insert the following:

“(b) by substituting the following subsection for subsection (2):

“(2) For the purposes of the hearing and determination of an appeal under this section, the Minister shall appoint one or more than one committee (in this section referred to as an “appeals committee”) each of which shall include in its membership an Inspector and such other persons as the Minister considers appropriate including teachers and/or representatives from recognised teachers unions.”.

—Seán Crowe.
5. In page 4, between lines 25 and 26, to insert the following:

“(b) by substituting the following subsection for subsection (2):

“(2) For the purposes of the hearing and determination of an appeal under this section, the Minister shall appoint one or more than one committee (in this section referred to as an ‘appeals committee’) each of which shall include in its membership an Inspector and such other persons as the Minister considers appropriate including teachers and/or representatives from recognised teachers unions and a representative chosen from a panel of parents and/or representatives from recognised parent bodies.”.”

—Paul Gogarty.

6. In page 4, line 31, to delete “, scale and persistence” and substitute “and scale”.

—Jan O'Sullivan.

7. In page 4, between lines 34 and 35, to insert the following:

“(b) whether the behaviour of the student constituted behaviour prohibited by the civil or criminal law, or both, and if so, the seriousness of the infringement,

(c) the persistence of any behaviour alleged to have given rise to, or contributed to, the decision made by or on behalf of the board.”.

—Jan O'Sullivan.

8. In page 4, line 43, after “peers,” to insert the following:

“subject to the requirement that the Minister shall remain responsible for securing as far as practicable the educational rights of the individual student in the event of a decision under subsection (1)(a) or (b) being upheld,”.

—Jan O'Sullivan.

9. In page 4, line 43, after “peers,” to insert the following:

“subject to the requirement that the Minister and/or her Department shall monitor the efforts being made by the National Education Welfare Board to secure as far as practicable the educational rights of the individual student in the event of a decision under subsection (1)(a) or (b) being upheld, and will intervene if these rights have not been addressed within a reasonable period of time,”.

—Paul Gogarty.

10. In page 5, line 5, to delete “and welfare” and substitute “, welfare and other legal entitlements”.

—Jan O'Sullivan.

11. In page 5, line 28, to delete “relevant.” and substitute the following:

“relevant, including whether or not violent behaviour against another pupil or teacher was the cause of the expulsion, in which case the Committee will generally not recommend the reinstatement of such pupils, save for exceptional situations where there was no previous history of violence or threatening behaviour and where clear provocation, on the testimony of credible witnesses, was known to have occurred.”.”

—Paul Gogarty.
12. In page 5, between lines 28 and 29, to insert the following:

“(4A) In hearing and determining an appeal under this section against a decision to which subsection (1)(c) applies an appeals committee shall have regard to regulations under section 33(g), which the Minister shall make within 6 months from the enactment of the Education (Miscellaneous Provisions) Act 2007.”.

—Jan O'Sullivan.

13. In page 6, lines 1 and 2, to delete “the Secretary General may stipulate, as” and substitute “it shall be”.

—Jan O'Sullivan.

14. In page 6, line 40, to delete “may” and substitute “shall”.

—Jan O'Sullivan.

15. In page 7, between lines 40 and 41, to insert the following:

“(a) in section 24(4), by inserting after “officer”, “, but the board of the school may if it considers that the circumstances underlying the proposal to expel the student so warrant, forthwith suspend the student without further notice for the period between notification of the educational welfare officer and the carrying out of the expulsion”.”.

—Jan O'Sullivan.

16. In page 9, to delete lines 20 and 21 and substitute the following:

“(2) The Education Acts 1878 to 2001 and sections 2 to 5 may be cited together as the Education Acts 1878 to 2007.”.

—An tAire Oideachais agus Eolaíochta, Jan O'Sullivan.